

AO 440 (Rev. 03/08) Civil Summons (cand 6/08)

UNITED STATES DISTRICT COURT

for the

**FILED**  
NORTHERN DISTRICT OF CALIFORNIA

ALISON DAVI, a Minor, by and through her  
General Guardian, GIOLARMA DAVI

Plaintiff

v.

CITY OF SEASIDE, CALIFORNIA,  
KEVIN MILLER and DOES 1 through 25,  
inclusive

Defendant

Civil Action No.

**C08 04095 PVT**

Summons in a Civil Action

To: CITY OF SEASIDE, CALIFORNIA

*(Defendant's name)*

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

ROBERT D. PONCE (SBN: 108069)  
LAW OFFICES OF ROBERT D. PONCE  
787 Munras Avenue, Suite 200  
Monterey, CA 93940  
Telephone: (831) 649-0515  
Facsimile: (831) 649-3397  
E-Mail: rponce@redshift.com

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

AUG 27 2008

Date: \_\_\_\_\_

Richard W. Wieking

\_\_\_\_\_  
Name of clerk of court

Tiffany Salinas Harwell  
\_\_\_\_\_  
Deputy clerk's signature

*(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)*

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**Proof of Service**

I declare under penalty of perjury that I served the summons and complaint in this case on \_\_\_\_\_  
by:

(1) personally delivering a copy of each to the individual at this place, \_\_\_\_\_; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with \_\_\_\_\_  
who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is  
\_\_\_\_\_; or

(4) returning the summons unexecuted to the court clerk on \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Server's signature

\_\_\_\_\_  
Printed name and title

\_\_\_\_\_  
Server's address